

## 213.504

Amendment of Solicitation/Modification of Contract, and obtain the contractor's acceptance by signature on the Standard Form 30.

### **213.504 Termination or cancellation of purchase orders.**

(b) Use Standard Form 30 to cancel a unilateral purchase order.

### **213.505 Purchase order and related forms.**

#### **213.505-1 Optional Form (OF) 347, Order for Supplies or Services, and Optional Form 348, Order for Supplies or Services Schedule-Continuation.**

Departments and agencies shall not use Optional Forms 347, Order for Supplies or Services, and 348, Order for Supplies or Services Schedule-Continuation.

(b)(i) Use DD Form 1155, Orders for Supplies or Services, (see 253.213(e)), for purchases made using the simplified acquisition procedures of FAR part 13. The DD Form 1155 serves as—

(A) A purchase order or a blanket purchase agreement, when used with the clauses prescribed at 213.507(a);

(B) A delivery order under a Government contract or from Government agencies outside the DoD;

(C) A receiving and inspection report;

(D) A property voucher;

(E) A document for acceptance by the supplier; and

(F) A public voucher, when used as—

(1) A delivery order;

(2) The basis for payment of an invoice against blanket purchase agreements or basic ordering agreements when a firm price has been established; or

(3) A purchase order for acquisitions using simplified acquisition procedures.

(ii) The DD Form 1155 is also authorized for use for—

(A) Classified acquisitions when the purchase is made within the United States, its possessions, and Puerto Rico. Attach the DD Form 254, Contract Security Classification Specification, to the purchase order.

(B) Orders under departmental contracts or from Government agencies

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outside the DoD (see FAR subparts 8.4, 8.6, 8.7, and 16.5).

[56 FR 36324, July 31, 1991. Redesignated and amended at 61 FR 7742, Feb. 29, 1996; 61 FR 9532, Mar. 8, 1996]

### **213.505-3 Standard Form 44, Purchase Order-Invoice-Voucher.**

(b)(1) The micro-purchase limitation applies to all purchases except that purchases up to the simplified acquisition threshold may be made for—

(A) Aviation fuel and oil;

(B) Overseas transactions by contracting officers in support of a contingency operation as defined in 10 U.S.C. 101(a)(13); and

(C) Transactions in support of intelligence and other specialized activities addressed by Part 2.7 of Executive Order 12333.

[59 FR 50851, Oct. 6, 1994, as amended at 61 FR 7742, Feb. 29, 1996; 61 FR 18195, Apr. 24, 1996 ]

### **213.507 Provisions and clauses.**

(a) Use the clauses in paragraphs (a) (i) through (iii) of this section, as applicable, in all purchase orders and blanket purchase agreements. The clauses listed in the following paragraphs (i) and (ii) may be incorporated by reference, except for FAR 52.252-2, Clauses Incorporated by Reference. Any other clauses included in the purchase order shall be incorporated by reference or in full text as required by the matrix in FAR 52.3.

(i) Unilateral purchase orders—

(A) FAR 52.252-2, Clauses Incorporated by Reference (required only if other clauses are incorporated by reference);

(B) FAR 52.203-3, Gratuities;

(C) FAR 52.211-16, Variation in Quantity;

(D) FAR 52.222-3, Convict Labor (unless the order will be subject to the Walsh-Healey Public Contracts Act (see FAR subpart 22.6));

(E) FAR 52.222-26, Equal Opportunity (unless exempt under FAR 22.807);

(F) FAR 52.225-3, Buy American Act-Supplies;

(G) FAR 52.232-1, Payments;

(H) FAR 52.232-25, Prompt Payment;

(I) FAR 52.232-28, Electronic Funds Transfer Payment Methods;

(J) FAR 52.233-1, Disputes;

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(K) FAR 52.246-1, Contractor Inspection Requirements (except when an alternate level of quality assurance is necessary (see FAR 46.203 and 46.204)); and

(L) FAR 52.246-16, Responsibility for Supplies.

(ii) Bilateral purchase orders—

(A) The clauses in paragraph (a)(i) of this section;

(B) FAR 52.204-2, Security Requirements (if the acquisition is classified);

(C) FAR 52.243-1, Changes—Fixed Price (with appropriate alternate as necessary);

(D) 252.243-7001, Pricing of Contract Modifications;

(E) FAR 52.249-1, 52.249-4, or 52.249-5, Termination for Convenience of the Government; and

(F) FAR 52.249-8, 52.249-9, or 52.249-10, Default.

(iii) Any other clauses required by the prescription for their use.

[56 FR 36324, July 31, 1991, as amended at 61 FR 7742, Feb. 29, 1996]

### Subpart 213.70—Simplified Acquisition Procedures Under the 8(a) Program

SOURCE: 63 FR 33587, June 19, 1998, unless otherwise noted.

#### 213.7001 Policy.

For sole source acquisitions under the 8(a) Program, contracting officers may use the procedures established in the Memorandum of Understanding cited in 219.800.

#### 213.7002 Procedures.

For acquisitions that are otherwise appropriate to be conducted using procedures set forth in this part, and also eligible for the 8(a) Program, contracting officers may use—

(1)(i) For sole source purchase orders not exceeding the simplified acquisition threshold, the procedures in 219.804-2(2); or

(ii) For other types of acquisitions, the procedures in subpart 219.8, excluding the procedures in 219.804-2(2); or

(2) The procedures for award to the Small Business Administration in FAR subpart 19.8.

#### 213.7003 Purchase orders.

##### 213.7003-1 Obtaining contractor acceptance and modifying purchase orders.

The contracting officer need not obtain a contractor's written acceptance of a purchase order or modification of a purchase order for an acquisition under the 8(a) Program pursuant to 219.804-2(2).

##### 213.7003-2 Contract clauses.

Use the clauses prescribed in 219.811-3(1) and (3) for purchase orders under the 8(a) Program pursuant to the Memorandum of Understanding cited in 219.800.

## PART 214—SEALED BIDDING

### Subpart 214.2—Solicitation of Bids

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214.202 General rules for solicitation of bids.

214.202-5 Descriptive literature.

### Subpart 214.4—Opening of Bids and Award of Contract

214.404 Rejection of bids.

214-404-1 Cancellation of invitations after opening.

214.407 Mistakes in bids.

214.407-3 Other mistakes disclosed before award.

### Subpart 214.5—Two-Step Sealed Bidding

214.503 Procedures.

214.503-1 Step one.

AUTHORITY: 41 U.S.C. 421 and 48 CFR chapter 1.

SOURCE: 56 FR 36326, July 31, 1991, unless otherwise noted.

### Subpart 214.2—Solicitation of Bids

#### 214.202 General rules for solicitation of bids.

##### 214.202-5 Descriptive literature.

(d) *Requirements of invitation for bids.* When brand name or equal purchase descriptions are used, use of the provision at 252.211-7003, Brand Name or Equal, satisfies this requirement.

[56 FR 36326, July 31, 1991, as amended at 63 FR 11528, Mar. 9, 1998]